

REMARKS

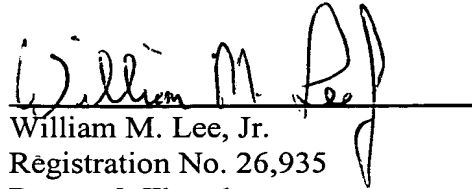
Claims 1, 3-6 and 8-10 have been rejected as unpatentable over Yoshino et al (US Pat. 5,058,009) in view of "New Mortgage Plan Offered" (Real Estate Weekly, 47, 2, 29, August 9, 2000).

It is respectfully pointed out that the Real Estate Weekly reference was published later than the claimed foreign priority date (December 10th 1999) of the present application. The priority claim was perfected at the time of filing by submitting the certified copy of the underlying UK application. It is therefore submitted that this reference is not available as prior art in the present application.

In any event, it is respectfully submitted that the Real Estate Weekly reference does not describe or remotely suggest the use of twelve user-specified factors, one for each of the twelve months of the year. The Real Estate Weekly reference teaches a loan program in which borrowers can choose from four monthly payment plan options, which result in different monthly payment levels. However, there is no suggestion in this that the borrower would be permitted to change the option from month to month. Even if this were permitted, there is absolutely no suggestion that this would be done according to twelve user-specified factors, one for each of the twelve months of the year, and no suggestion of computing repayments over the term of the loan on the basis of these twelve factors. The invention, as claimed, is therefore patentable over this reference, even if it were a proper reference.

In summary, it is submitted that this application is now in condition for allowance and such action is respectfully solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

William M. Lee, Jr.
Registration No. 26,935
Barnes & Thornburg
P.O. Box 2786
Chicago, Illinois 60690-2786
(312) 214-4800
(312) 759-5646 (fax)